

# **Appendix Exhibit 161**



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January 31, 2023  
*VIA E-MAIL*

OUR FILE NO. 436724-000001

John A. Morris  
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PACHULSKI STANG ZIEHL & JONES LLP  
780 Third Avenue, 34th Floor  
New York, NY 10017-2024

**Re: SE Multifamily REIT Holdings LLC | Books and Records Request**

Dear John:

We write in response to the request by Highland Capital Management, L.P. ("Highland") to review and copy the books and records of SE Multifamily REIT Holdings LLC ("SE Multifamily").

We note that Highland's written request does not state the purpose of Highland's demand, as required under Delaware law. See 6 Del. Code § 18-305(e). Further, we have not received the required power of attorney or other writing authorizing your office to act on behalf of Highland, as a member of SE Multifamily, for the purpose of this demand. *Id.*

Upon receipt of a written statement of purpose and accompanying written authorization, SE Multifamily is prepared to produce non-confidential records which are maintained in the usual course of the company's business pursuant to the First Amended and Restated Limited Liability Company Agreement. These records include the company's last twelve-month financials, historical distribution amounts, the closing statement for the purchase of the Florida property in 2021, the current rent roll for the Florida property, information regarding outstanding debt, and quarterly financial statements. SE Multifamily can produce these documents on a rolling basis beginning next week.

Please let me know if you would like to discuss any of the above.

Best regards,

**DLA Piper LLP (US)**

A handwritten signature in blue ink that reads 'Amy L. Ruhland'.

Amy L. Ruhland  
Partner

AR: